

PD-0931-CR

In the
Court of Criminal Appeals
At Houston

FILED
COURT OF CRIMINAL APPEALS
5/9/2017
ABEL ACOSTA, CLERK

—◆—
No. 1440970

In the 248th Criminal District Court
Harris County, Texas

—◆—
ANDREAS MARCOPOULOS, *Appellant*

V.

THE STATE OF TEXAS

Appellee
—◆—

STATE'S MOTION FOR EXTENSION OF TIME TO FILE BRIEF

—◆—
TO THE HONORABLE COURT OF CRIMINAL APPEALS:

THE STATE OF TEXAS, moves for an extension of time in which to file its appellate brief and in its motion, would show the Court the following:

1. Appellant was convicted in the 248th District Court of Harris County, Texas, in Cause No. 1440970, for the felony offense of possession of a controlled substance. Punishment was assessed at three (3) years deferred adjudication-community supervision. The First Court of Appeals affirmed the trial court's ruling on April 14, 2016 in a published opinion with one dissenting opinion and one concurring opinion. Appellant filed a motion for rehearing that the First Court of Appeals denied on July 7, 2016. Appellant filed a Petition for Discretionary Review (PDR) that this

Court granted on January 24, 2017. Appellant, after being granted one extension, filed his brief on the merits on March 14, 2017.

2. The State's brief was due April 28, 2017. The State hereby requests an extension for the filing of the State's brief until May 5, 2017.
3. The following facts are relied upon to show good cause for an extension of time to allow the State to file its brief:

B. The attorney for the State has been working on and has filed the following matters in the last 30 days.

Mason v. State
01-16-00980-CR
01-16-00981-CR
State's Brief filed April 4, 2017

Phillips v. State
01-16-00653-CR
State's Brief filed April 27, 2017

Preparation for and presentation of oral argument on
in the Fourteenth Court of Appeals May 2, 2017, in the
matter of Amaro-Solis v. State, 14-16-00484-CR

Furthermore, the undersigned attorney has been assigned the following
briefs in addition to the brief in this cause number.

Carter v. State
01-16-00799-CR
State's Brief due May 8, 2017

Justice v. State
14-16-00153-CR
State's Brief Due May 30, 2017

Utzman v. State
14-16-00910-CR
14-16-00911-CR
State's Brief Due May 30, 2017

Guevara v. State
14-16-00701-CR
State's Brief due June 2, 2017

Vela v. State
14-16-00786-CR
State's Brief due June 15, 2017

This is the State's second and final request for an extension of time to file its brief, for a period of 7 days, The State's brief in reply to appellant's brief on the merits is being filed along with this extension.

WHEREFORE, the State prays that this Court will grant the requested extension until May 5, 2017.

Respectfully submitted,

/s/ Kimberly Stelter

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing instrument will be served by
efile.txcourts.gov to:

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/s/ Kimberly Stelter
KIMBERLY STELTER
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May 5, 2017